

Message Text

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ACTION VO-05

INFO OCT-01 ISO-00 ARA-10 HA-05 CIAE-00 FBIE-00
NSAE-00 PM-05 CA-01 L-03 PPT-01 /031 W
-----019266 081840Z /45

R 081537Z MAR 78
FM AMEMBASSY PANAMA
TO SECSTATE WASHDC 6007
INFO INS C.O. WASHDC
DEPARTMENT OF DEFENSE WASHDC
DDJINS NEW YORK
USCINCSO QUARRY HEIGHTS CZ
PANCANAL CZ

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EO 11652: N/A
TAGS: CVIS, CPAS, AVEC, PINT, PN
SUBJECT: ILLEGAL ENLISTMENT OF PANAMANIAN IN U.S. ARMED FORCES

REF: STATE 49844 DTG 271659Z FEB 78 (NOTAL)

POST NOW HAS INVESTIGATIVE REPORTS ON MORE THAN 500 PANAMANIAN
ON ACTIVE DUTY IN THE U.S. MARINES AND NAVY WHO ENTERED THE
UNITED STATES AS TOURISTS OR EWI THROUGH MEXICO. TYPICALLY
THESE ARE BLACK WEST INDIAN MALES WHO SPEAK ENGLISH
AND WHO HAVE CLOSE TIES TO THE CANAL ZONE. WE BELIEVE
THAT MOST OF THEM HAVE ENLISTED WITH FRAUDULENT CANAL ZONE
BIRTH CERTIFICATES SHOWING AT LEAST ONE U.S.C. PARENT. WE
HAVE VERIFIED THAT NONE OF THEM HAD A CLAIM TO U.S. CITIZEN-
SHIP AT BIRTH, AND MANY WERE NOT EVEN BORN IN THE CANAL ZONE.
ALL STATE ON THEIR ENLISTMENT CONTRACTS THAT THEY AND AT
LEAST SOME MEMBERS OF THEIR FAMILY ARE USC'S. MANY HAVE ALSO
OBTAINED FRAUDULENT HIGH SCHOOL DIPLOMAS AND HAVE CHANGED
THEIR NAME OR DATE OF BIRTH. (SEE NAVAL INVESTIGATIVE
SERVICE REPORT OF 06/10/77 FROM FORT AMADOR, CANAL ZONE
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ENTITLED, "U.S. NAVY AND U.S. MARINE CORPS/FRAUDULENT
ENLISTMENT BY PANAMANIAN NATIONALS")

2. A FRAUDULENT DOCUMENT RING WAY UNCOVERED IN NEW YORK
AND SEVERAL PEOPLE HAVE BEEN OR WILL BE INDICTED
INCLUDING THE SARGEANT WHO WAS THE HEAD OF ONE OF THE
MARINE RECRUITING STATIONS IN BROOKLYN. IT APPEARS THAT

RECRUITERS IN EVERY BRANCH OF THE ARMED SERVICES IN NEW YORK WERE AWARE THAT PERSONS WHO SUPPLIED CANAL ZONE BIRTH CERTIFICATES TO ENLIST WERE USING FALSE DOCUMENTS, BUT THEY CHOSE TO IGNORE THIS FACT IN ORDER TO GET NEW RECRUITS. (SEE NIS REPORT OF 01/03/78 FROM NEW YORK ENTITLED S/VELEZ, RAFAEL (N)/GYSGT USMC AND NIS REPORT OF 01/24/78 FROM FORT AMADOR CANAL ZONE WITH SAME TITLE.)

3. NEARLY ALL REPORTS ON INVESTIGATIONS WE HAVE RECEIVED INVOLVE ENLISTMENTS IN THE MARINES -- WHERE PROBLEM WITH PANAMANIAN NOW APPEARS TO BE THE WORST -- OR THE NAVY. ARMY INVESTIGATORS HAVE TAKEN STAND THAT FRAUDULENT ENLISTMENT IS ADMINISTRATIVE MATTER AND WILL NOT BE INVESTIGATED UNLESS RECRUITER COMPLICITY IS ESTABLISHED. POST HAS REASON TO BELIEVE THAT THERE MAY BE THOUSANDS OF UNDOCUMENTED ALIENS NOW IN THE ARMY, BUT THAT RELATIVELY LOW NUMBER ARE PANAMANIAN. AIR FORCE HAS INITIATED INVESTIGATION ON TWO FRAUDULENT ENLISTEES NOW ASSIGNED TO CANAL ZONE. NUMBER OF UNDOCUMENTED ALIENS IN AIR FORCE DOES NOT APPEAR TO BE SIGNIFICANT.

4. ARMED FORCES REGULATIONS PROVIDE THAT A PERSON WHO ENLISTS THROUGH FRAUD WITH RECRUITER COMPLICITY (CATLOW DECISION) OR WHO ENLISTS TO AVOID PROSECUTION (RUSSO DECISION) CAN HAVE HIS ENLISTMENT VOIDED AND THAT HE CAN BE ADMINISTRATIVELY SEPARATED. TO DATE WHEN FRAUDULENT ENLISTMENTS HAVE LIMITED OFFICIAL USE

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BEEN DISCOVERED, HOWEVER, NO GUIDANCE WAS GIVEN TO INDIVIDUAL'S COMMANDER. HE NORMALLY LOOKS ONLY AT THE MAN'S SERVICE RECORD. SINCE MOST OF THE ILLEGAL ENLISTEES HAVE BEEN VERY CAREFUL TO MAINTAIN A CLEAN RECORD IN THE ARMED FORCES, THE COMMANDER NORMALLY RECOMMENDS THAT HE BE RETAINED IN THE SERVICE. ONCE IT IS KNOWN THAT THE ENLISTEE IS ACTUALLY A PANAMANIAN HIS SECURITY CLEARANCE IS NORMALLY LIFTED AND HE IS GIVEN THE CHOICE OF NATURALIZATION AS A USC OR AN HONORABLE DISCHARGE. IF HE CHOOSES THE LATTER, HE CAN STILL BECOME A USC LATER UNDER SECTION 329 OF INA.

5. WHEN INS CONDUCTS A NATURALIZATION INVESTIGATION ON SOMEONE IN THE ARMED FORCES, IT SUBMITS FORM N-426 TO THE RECORDS CENTER WHERE HIS FILE IS LOCATED SO THAT IT CAN VERIFY THAT HE HAS SERVED HONORABLY. AS WE HAVE BEEN ABLE TO DETERMINE, NO SPECIAL PROCEDURE IS ADOPTED WHEN THE ALIEN HAS NOT PREVIOUSLY OBTAINED AN IMMIGRANT VISA. FORM N-426 DOES NOT MAKE ANY REFERENCE TO THE MANNER IN WHICH THE ALIEN ENLISTED, AND WE WERE TOLD BY INS INVESTIGATORS THAT OTHER MILITARY RECORDS ARE CHECKED ONLY IF THE ALIEN HAS HAD DISCIPLINARY ACTION TAKEN AGAINST HIM IN THE ARMED FORCES.

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-----019291 081840Z /45

R 081537Z MAR 78
FM AMEMBASSY PANAMA
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6. IT DOES NOT APPEAR THAT EITHER THE ARMED FORCES OR INS CONTACT THE FOREIGN SERVICE POST WITH JURISDICTION OVER THE ALIENS PLACE OF BIRTH BEFORE AN UNDOCUMENTED ALIEN IS NATURALIZED UNDER SECTION 329. POST HAS DISCOVERED NUMEROUS CASES WHERE ITS FILES INDICATE AN ALIEN IS A TOURIST WHEN HE SUBMITS A NATURALIZATION CERTIFICATE TO OBTAIN APPROVAL OF A VISA FOR HIS SPOUSE OR OTHER RELATIVES. WE HAVE ALSO DISCOVERED SOME CASES WHERE THE NATURALIZATION CERTIFICATE INDICATED BIRTH IN THE CANAL ZONE WHEN NO SUCH RECORD EXISTED. IN AT LEAST ONE CASE, THE DATE OF BIRTH WAS ALSO INCORRECT. IN ANOTHER CASE, THE POST HAD EVIDENCE ON FILE WHICH WOULD HAVE SUSTAINED A RULING OF INELIGIBILITY UNDER SECTION 212 (A)(19) OF THE INA (SEE PANAMA 897). THERE ARE NUMEROUS CASES WHERE LOCAL CRIMINAL RECORDS EXISTED, BUT NONE TO DATE WERE SUFFICIENT TO SUSTAIN A RULING OF INELIGIBILITY UNDER SECTION 212(A)(9) OR (10). IT APPEARS THAT NONE OF THE ABOVE INFORMATION WAS CONTAINED IN THE NATURALIZATION FILE OF THE INDIVIDUAL.

7. POST ESTIMATES THAT IN 60 PERCENT OF ITS FIFTH PREFERENCE
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CASES, PETITIONER FITS DESCRIPTION IN PARA 1 OF THIS CABLE, AND THAT MAJORITY WERE NATURALIZED DURING SERVICE IN U.S. MILITARY. WE NOW HAVE PENDING SOME 10 IR-1 CASEY WHERE WE HAVE ESTABLISHED FRAUDULENT ENLISTMENT BY PETITIONER. VALIDITY OF NATURALIZATIONS IS ALSO BEGINNING TO EFFECT OUR PASSPORT AND CITIZENSHIP WORK. POST IS PROCEEDING ON ASSUMPTION THAT NATURALIZATIONS WILL BE REVOKED IF WE ESTABLISH THAT INDIVIDUAL HAD A FELONY CONVICTION AT THE TIME OF NATURALIZATION OR IF HE WAS NATURALIZED WITH FALSE BIRTH DATA AND WE ARE ENDEAVORING TO ASSURE THAT SUCH IS NOT THE CASE. IF LIAISON COULD BE ESTABLISHED TO REVIEW ENLISTMENT RECORDS AT POSTS REQUEST, IT WOULD ALLOW US TO IDENTIFY CASES WHERE A MORE DETAILED INVESTIGATION SHOULD BE CONDUCTED.

8. IT APPEARS THAT COPIES OF ALL OF THE REPORTS WEHHAVE ON FILE WERE SENT TO INS NEW YORK.

JORDEN

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: ARMED FORCES, ENLISTMENT, FRAUDS, IDENTITY DOCUMENTS
Control Number: n/a
Copy: SINGLE
Draft Date: 08 mar 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978PANAMA01561
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D780104-0994
Format: TEL
From: PANAMA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780393/aaaadapf.tel
Line Count: 190
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: f6c297cb-c288-dd11-92da-001cc4696bcc
Office: ACTION VO
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 4
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Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 78 STATE 49844
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 23 aug 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 3404884
Secure: OPEN
Status: NATIVE
Subject: ILLEGAL ENLISTMENT OF PANAMANIAN IN U.S. ARMED FORCES
TAGS: CVIS, CPAS, ASEC, PINT, PN, US
To: STATE
Type: TE
vdkgvwkey: odhc://SAS/SAS.dbo.SAS_Docs/f6c297cb-c288-dd11-92da-001cc4696bcc
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